

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FCC 96-64

In the Matter of)
)
Revision of) CC Docket No. 96-23
Filing Requirements)
)

NOTICE OF PROPOSED RULEMAKING

Adopted: February 20, 1996

Released: February 27, 1996

Comment Date: April 8, 1996
Reply Comment Date: April 23, 1996

By the Commission:

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I. SUMMARY AND BACKGROUND

1. As part of the President's Regulatory Reform Initiative,¹ each federal agency was asked to lessen the regulatory burden on the public by reducing the amount of information the public must provide each agency. Each agency was asked to review its own public reporting requirements and eliminate or modify its requirements where appropriate.

2. Consistent with the President's Initiative, the Commission tasked the Common Carrier Bureau (Bureau) with conducting a review of all reports filed with the Bureau, including those reports not subject to the Paperwork Reduction Act. As a result of that review, the Bureau, acting on delegated authority, eliminated three reporting requirements and reduced the frequency of two additional reports.² We initiate this rulemaking proceeding to eliminate and modify other reporting requirements. Specifically, we propose to eliminate thirteen reporting requirements. We also propose to reduce the frequency of six other reporting requirements.³

II. ELIMINATION OF REPORTS

1. ELIMINATION OF DIVESTITURE-RELATED REPORTS

3. On June 14, 1995, the Bureau issued a Public Notice soliciting comments on the need to continue several reports established at the time of the AT&T divestiture that the Bureau determined no longer met the intended monitoring requirements.⁴ As a result of the Bureau's review of regulations and reporting requirements and the favorable comments filed

¹See Executive Office of the President, Office of Management and Budget, Memorandum for Heads of Executive Departments and Establishments, October 18, 1993 ("President's Initiative"); see also Office of the Vice President, Accompanying Report of the National Performance Review: Improving Regulatory Systems 42-44 (1993).

²See Public Notice, FCC No. 55228 (August 10, 1995). The Bureau eliminated the following reports: State Rate Case Report, AT&T Preliminary Cost and Revenue Report, and U.S. West Packet Switching Report. The Bureau reduced the frequency of the following reports: Interstate Access Minutes Reported by the National Exchange Carrier Association and LEC Usage/Access Report.

³These reporting requirements are discussed in paragraphs 3 through 20.

⁴"Common Carrier Bureau Solicits Comments on Elimination of Divestiture Reports," Public Notice CC-95-34 (June 14, 1995).

pursuant to the Public Notice,⁵ we propose to eliminate the following reports:⁶

A. EQUAL ACCESS PROGRESS REPORT: This report is submitted semi-annually by AT&T and Regional Holding Companies under Condition 3, AT&T Divestiture Order.⁷

B. CONSTRUCTION BUDGET SUMMARY: Condition 10 of the AT&T Divestiture Order required AT&T and Regional Holding Companies to submit an annual financial summary of telecommunications facility construction activity.⁸

C. NATIONAL SECURITY AND EMERGENCY PREPAREDNESS EFFECTIVENESS: This report is submitted annually by AT&T and BELLCORE under Condition 12, AT&T Divestiture Order.⁹ It lists activities by the carriers to support national security.

2. ELIMINATION OF OTHER REPORTS

A. AT&T CUSTOMER PREMISES EQUIPMENT (CPE) INSTALLATION AND MAINTENANCE REPORT

4. This report is submitted quarterly by AT&T pursuant to Furnishing of Customer Premises Equipment and Enhanced Services by American Telephone and Telegraph Co.¹⁰ The report contains the percentage of lines/circuits not installed by the relevant due date for telephone company reasons, as well as the percentage of lines/circuits ordered by unaffiliated vendors. The original purpose of the report was to protect competitors by monitoring AT&T's installation and maintenance of lines/circuits to ensure that it is not discriminating against unaffiliated CPE vendors. In 1991, the Commission eliminated nondiscrimination

⁵The Commission received comments from Ameritech, AT&T, NYNEX, Pacific Telesis, Southwestern Bell, United States Telephone Association, and U.S. West Communications, Inc. on July 14, 1995. All comments were favorable.

⁶The comments received in response to the Bureau's public notice will be incorporated into the rulemaking docket. Parties that filed comments originally need not file again.

⁷96 FCC 2d 18 (1983), modified, 98 FCC 2d 141 (1984).

⁸See id.

⁹See id.

¹⁰102 FCC 2d 655, 690-91 (1985); see also, AT&T Structural Relief Order, modified in part on reconsideration, 104 FCC 2d 739 (1986) ("AT&T Structural Relief Reconsideration Order").

reporting for those AT&T network services subject to maximum streamlined regulation.¹¹ The Commission found that, because the interexchange and business services markets had become subject to effective competition, AT&T no longer had the incentive or ability to discriminate against competing CPE vendors or enhanced services providers, so installation and maintenance nondiscrimination reports were no longer necessary with respect to most of AT&T's services.¹² In 1993, the Commission added AT&T's 800 services to the list of services subject to streamlined treatment.¹³ Since December 1993, AT&T has only provided installation and maintenance nondiscrimination reports regarding CPE and enhanced services for analog private line services. Because customer use of such services has diminished with the increasing introduction of digital applications, there has been very little reporting activity since 1993. Therefore, we propose to eliminate nondiscrimination reporting requirements regarding both CPE and enhanced services with respect to the few AT&T services still subject to them.

B. AT&T SERVICE QUALITY: EQUIPMENT BLOCKAGE AND FAILURE REPORT

5. This semi-annual report is submitted by AT&T pursuant to Policies and Rules Regarding Rates for Dominant Carriers.¹⁴ The report's objective was to provide the Commission the means to monitor and ensure that service quality at equal access exchanges is comparable to service quality at non-equal access exchanges. Because at the end of 1994, approximately 98% of the nation's lines had been converted to equal access (in contrast to 86% in 1989),¹⁵ this report is no longer relevant for the purposes originally intended. We therefore propose to eliminate it.

C. AT&T NONDISCRIMINATION REPORT FOR ENHANCED SERVICES PROVIDERS

6. AT&T submits this report on a quarterly basis pursuant to Amendment of Section

¹¹These services included AT&T's Basket 3 services and AT&T services not subject to price cap regulation. Competition in the Interstate Interexchange Marketplace, 6 FCC Rcd 5880, 5909 (1991), affirmed with modifications, 10 FCC Rcd 4562 (1995).

¹² Id. at 5909.

¹³Competition in the Interstate Interexchange Marketplace, 8 FCC Rcd 3668 (1993) ("800 Streamlining Order").

¹⁴6 FCC Rcd. 2974, 1991.

¹⁵See "Telephone Lines and Offices Converted to Equal Access," Industry Analysis Division, CCB, October 1995.

64.702 of the Commission's Rules and Regulations. ("Third Computer Inquiry").¹⁶ In these reports, AT&T must compare the level of service provided to enhanced service affiliates with that provided to enhanced service competitors. As discussed above, following the Commission's orders streamlining the regulation of AT&T's services, very few AT&T services remain subject to enhanced services nondiscrimination reporting, and those few are so rarely used that this reporting requirement is proposed to be eliminated.

D. BOC CUSTOMER PREMISES EQUIPMENT (CPE) INSTALLATION AND MAINTENANCE REPORT; BOC CUSTOMER PREMISES EQUIPMENT AFFIDAVITS FOR NON-DISCRIMINATORY PROVISION OF NETWORK MAINTENANCE

7. The BOC CPE installation and maintenance report is a quarterly report required by Furnishing of Customer Premises Equipment by the Bell Operating Telephone Companies and the Independent Telephone Companies.¹⁷ The Report compares the number and/or percentage of lines/circuits not installed by the BOC by the requested date for affiliated and unaffiliated CPE vendors, so that the FCC may monitor whether the BOCs are discriminating against unaffiliated CPE vendors with respect to installation and maintenance.¹⁸ As an alternative to submitting a quarterly CPE maintenance report described above, a BOC may instead submit an annual affidavit certifying that it has not discriminated in the provision of network installation and maintenance.¹⁹ The Commission originally adopted this alternative maintenance certification scheme in the belief that it was unlikely that BOCs could or would discriminate based on the identity of the CPE vendor in providing network maintenance services.

8. In the eight years since the Commission established the foregoing nondiscrimination reporting and alternative affidavit requirements, the Commission has received no formal complaints from any party alleging unlawful discrimination by a BOC in the provision of installation and maintenance services. We solicit comment on the costs and benefits of eliminating the foregoing requirements concerning BOC installation and maintenance activity. Commenters should address whether these requirements are necessary to protect against unlawful discrimination by BOCs in provision of installation and maintenance services, or,

¹⁶104 FCC 2d 958, 1055-56 (1986) ("Phase I Order"), modified on reconsideration, 2 FCC Rcd 3072, 3086 (1987) ("Phase II Order").

¹⁷2 FCC Rcd 143, 155 ("BOC CPE Relief Order"), modified on reconsideration, 3 FCC Rcd 22 (1987) ("BOC CPE Relief Reconsideration Order").

¹⁸See Detariffing of Customer Premises Equipment and Enhanced Services "Second Computer Inquiry", 8 FCC Rcd 3891 (1993) (eliminating the National Security and Emergency Preparedness (NSEP) CPE reporting requirement because of increased competition in the CPE market).

¹⁹See BOC CPE Relief Reconsideration Order, 3 FCC Rcd at 26.

whether the Commission could rely on the complaint process to protect against unlawful discrimination. We propose to eliminate these requirements if they are no longer necessary in light of regulatory alternatives and burdens imposed on carriers.

E. BOC SALES AGENCY PROGRAM AND VENDOR SUPPORT PROGRAM REPORT

9. This report is submitted annually by each BOC pursuant to the BOC CPE Relief Order.²⁰ The report contains information on the Bell Operating Companies' sales agency programs and vendor sales activity. If the BOC has an affiliated entity that is an authorized sales agent, the report will contain a comparison of affiliated and unaffiliated vendor sales activity. The original purpose of the report was to ensure that the BOCs provide independent CPE vendors with meaningful opportunities to market their CPE jointly with BOC network services. We believe that at the present time, these sales agency reports are not generally used by independent CPE vendors, and that, therefore, they may not as a practical matter serve the purposes for which they were intended. Accordingly, we propose to eliminate the requirement to file these reports.

F. BILLING AND COLLECTION CONTRACTS

10. This report is submitted by local exchange carriers (LECs) on an as-needed basis pursuant to the Common Carrier Bureau's Public Notice released in CC Docket No. 85-88.²¹ Each LEC provides a list of all billing and collection contracts under which it provides such services. From time to time as necessary, the LEC updates the list on file with the Commission. As LECs previously enjoyed a virtual monopoly on certain information necessary for the billing and collection of end-users, this service was in the past subject to tariff. However, as non-LECs gained access to such information and the service became more competitive, the Commission relaxed the tariff requirement and simply required these LECs to file lists of those contracts. Because such lists are seldom used by the staff or the public we propose to eliminate this reporting requirement entirely.²²

²⁰See 2 FCC Rcd at 156.

²¹Public Notice, 2 FCC Record 809 (Com. Car. Bur. 1987). See Detariffing of Billing and Collection Services, 102 FCC 2d 1150 (1986). That Public Notice clarified the reporting requirement imposed by the Commission when it detariffed such billing and collection services in 1986.

²²In 1992, the Commission invited comments on whether to eliminate this requirement. See Commission Proposes Relieving Local Exchange Carriers of Reporting Obligation for Billing and Collection Contracts, Public Notice, 7 FCC Rcd 4042 (Com. Car. Bur. 1992).

G. CIRCUIT REPORT

11. Section 63.07(b) of the rules requires non-dominant carriers that construct or acquire initial or additional circuits to file a report concerning these circuits semi-annually on February 1 and August 1 of each year.²³ These reports provide information on interstate communications facilities constructed and operated by nondominant carriers. This information permits the Commission, as part of its regulatory program governing interstate services provided by nondominant carriers, to perform a public interest assessment of the facilities investments of these carriers, as envisioned in its Competitive Carrier Proceeding.²⁴ At the present time, approximately 36 carriers file these semi-annual circuit reports comprising about 500 pages of information. As a practical matter, it is no longer necessary to require these reports on a routine basis from all nondominant carriers. Instead, the Commission can obtain this information in individual instances when a direct regulatory need for it arises. This would reduce administrative burdens on nondominant carriers of routinely collecting and filing this information as well as burdens placed on the Commission by the administration of the collection of these reports. Accordingly, we propose eliminating the present requirement that nondominant carriers file semi-annual circuit reports. Instead, we propose to rely on our general authority under the Communications Act to obtain information in individual instances necessary to perform our regulatory responsibilities from carriers subject to our jurisdiction.²⁵

H. RECORD CARRIER LETTER

12. Each record carrier with operating revenues over \$75 million for a calendar year is required, under Section 43.21(d) of the Commission's Rules, to file a letter showing selected balance sheet and income items for that year with the Common Carrier Bureau Chief.²⁶ These letters must be filed by March 31 of the following year. The financial statement summary provides an indication of record carrier business. In the 1950s, 80 percent of international traffic was handled by record carriers. In 1994 this report was filed by two carriers representing 2 percent of the market. In 1995 it is anticipated that only one carrier

²³47 C.F.R. § 63.07(b).

²⁴Policy and Rules Concerning Rates for Competitive Common Carrier Services and Facilities Authorizations Therefor, 45 FR 76148, 76163 (Nov. 18, 1980).

²⁵Section 218 of the Communications Act provides that "[t]he Commission may obtain from such carriers and from persons directly or indirectly controlling or controlled by, or under direct or indirect common control with, such carriers full and complete information necessary to enable the Commission to perform the duties and carry out the objects for which it was created." 47 U.S.C. § 218.

²⁶47 C.F.R. § 43.21(d).

will file.²⁷ We therefore tentatively conclude that this report is no longer needed and propose to eliminate it.

I. REPORT ON INSIDE WIRING SERVICES

13. This report is submitted by each local exchange carrier with annual operating revenues of \$100 million or more under Section 43.41 of the Commission's Rules.²⁸ This rule applies only to the local exchange carrier serving the greatest number of access lines within the portions of the state that are, or would be, subject to the state regulation. This report is due within 30 days of the publication or release of state or local rules and regulations concerning local exchange carrier prices for inside wire services.

14. The report contains copies of any state or local statute, order, rule, law or other documents that regulate or propose to regulate local exchange carrier prices for inside wiring services. This reporting requirement was established to gain information about regulations at the state level and their potential impact on federal wiring policy. We seek comment on eliminating this report.

II. REDUCTION OF REPORTING FREQUENCY

A. ARMIS SERVICE QUALITY REPORT 43-05

15. These reports are submitted quarterly by every local exchange carrier for which price cap regulation is mandatory and for every local exchange carrier that elects to be covered by the price cap rules.²⁹ The reports collect study area level data designed to capture trends in service quality under price cap regulation. These reports contain five tables: (1) installation and repair intervals for interexchange access; (2) installation and repair intervals for local service; (3) trunk blockage; (4) total switch downtime and occurrences of two minutes or more duration downtime; and (5) service quality complaints. This report was established to enable the Commission to observe the success of incentive regulation and to become aware of any reduction of service quality or infrastructure investment. The states have been increasingly active in monitoring the quality of service. Therefore, there is no need to require this report on a quarterly basis. While the original purpose of this report is still valid, and the information it conveys is still necessary, we propose to reduce the frequency of this report and require that it be submitted semi-annually.

²⁷A record carrier is a carrier that provides services such as telegraph and telex. These services were originally called record services since they entailed a written record.

²⁸47 C.F.R. § 43.41.

²⁹See Policy and Rules Concerning Rates for Dominant Carriers, CC Docket No. 87-313, Memorandum Opinion and Order, 6 FCC Rcd 2974 (Com. Car. Bur. 1991).

B. FORM 492: RATE OF RETURN REPORT

16. This report is submitted quarterly by non price cap companies (Non Price Cap LECS) and NECA.³⁰ The report is one page in length and contains total revenues, total expenses and taxes, operating income and the rate base for each company. While data is still needed to ensure that non price cap companies do not exceed the authorized rate of return, this purpose can also be accomplished by reducing the report's frequency. We therefore propose to reduce the frequency of this report and require that it be submitted annually.

C. JOINT BOARD MONITORING PROGRAM - POOLING

17. This report is submitted by NECA on a monthly (summary of pool results), and an annual (long term support) basis under Sections 69.605 and 69.612 of the Commission's Rules.³¹ The report contains NECA pooling data and long-term support data. It was established to keep track of subsidy flows and administrative costs of administering the subsidies. These purposes can still be accomplished by quarterly submissions. We therefore propose to reduce the frequency of this report and require it to be submitted quarterly.

D. NEW SERVICE TRACKING REPORT

18. This report is submitted quarterly by LECs subject to price cap regulation, under requirements imposed by the Commission.³² The report compares (a) the actual impact of a new service on the carrier's net quarterly revenues with (b) the projections provided by that carrier when it initially filed the new service tariff. The report enables staff to compare projected demand and related revenues for a new service with the actual results after that service becomes available. As a result, the staff can determine whether a particular carrier or carriers in general are providing reliable projections when new services are offered. These reports are employed to conduct studies to determine reliability of price cap carrier new service projections.³³ While the data is still needed, this purpose can be accomplished

³⁰See id.; 47 C.F.R. § 65.600(b).

³¹See 47 C.F.R. §§ 69.605, 69.612.

³²See AT&T Price Cap Order, CC Docket No. 87-313, 4 FCC Rcd 2873, 3127; Second Report and Order, CC Docket No. 87-313, 5 FCC Rcd 6785, 6825 (1990).

³³In 1993 the Commission tentatively determined that report could be reduced in frequency and released an NPRM to that effect. See New Service Reporting Requirements under Price Cap Regulations CC Docket No. 92-275, 8 FCC Rcd 438 (1992). Of the eleven parties who submitted comments none opposed the changes proposed by the Commission in the NPRM. These parties were: Ameritech Operating Companies, AT&T, The Bell Atlantic Telephone Companies, BellSouth Telecommunications Inc., GTE Service Corporation, New England Telephone and Telegraph Company and New York Telephone

by reducing the reporting frequency. Therefore, we propose to reduce the frequency of this submission to an annual report for those LECs subject to price caps.

E. PAYPHONE COMPENSATION

19. This report is required to be submitted quarterly by AT&T and Sprint under a waiver granted in connection with CC Docket No. 91-35.³⁴ The report will consist of a brief paragraph delineating the names and amounts of compensation paid to private payphone operators for interstate traffic that originated from those payphones. This requirement was established to monitor pay-phone compensation paid on a different basis than that provided for in the Docket. This report will only be needed until the conclusion of the payphone compensation rulemaking within the next two years and the burden is minimal. Nevertheless the frequency can be reduced and we propose that it be required semi-annually.

F. REPORT OF UNSECURED CREDIT TO POLITICAL CANDIDATES

20. This report is submitted semi-annually by all carriers having operating revenues in excess of \$1 million for the preceeding year.³⁵ It shows, by account, any amount due and unpaid as of the end of the month prior to the reporting date for interstate and for communications services rendered by or on behalf of candidates for Federal office, when such amount results from the extension of unsecured credit. The reporting requirement was established pursuant to Section 401 of the Federal Election Campaign Act of 1971.³⁶ This report serves as a check on the implied contributions by carriers to candidates for Federal office. We solicit comment on whether a reduced frequency could accomplish the same objective. We propose to reduce the frequency of this report and instead require that it be submitted annually if there is a reasonable basis in the record for concluding that this would sufficiently meet the purposes of the Federal Election Campaign Act of 1971.

Company (NYNEX), Rochester Telephone Corporation, The Southern New England Telephone Company, Southwestern Bell Telephone Company, United Telephone Companies, and United States Telephone Association.

³⁴Policies and Rules Concerning Operator Service Access and Pay Telephone Compensation, Second Report and Order, CC Docket No. 91-35, 7 FCC Rcd 3251 (1992); Policies and Rules Concerning Operator Service Access and Pay Telephone Compensation, Memorandum Opinion and Order, CC Docket No. 91-35, 10 FCC Rcd 1590 (1994) (AT&T Waiver); Policies and Rules Concerning Operator Service Access and Pay Telephone Compensation, Memorandum Opinion and Order, CC Docket No. 91-35, 10 FCC Rcd 5490 (1995) (Sprint Waiver)

³⁵47 C.F.R. § 64.804(g).

³⁶Pub. L. No. 92-225, § 401, 86 Stat. 3 (1972).

IV. PROCEDURAL RULES

21. We believe that it would facilitate resolution of the issues raised in this proceeding to provide that the Chief, Common Carrier Bureau, acting pursuant to delegated authority, shall determine whether to adopt the proposals set forth in this Notice of Proposed Rulemaking. Therefore, we delegate to the Chief of the Common Carrier Bureau the authority to issue any necessary reports or orders arising from this rulemaking proceeding. Therefore, in that regard, we waive, for this proceeding only, Section 0.291(h) of the Commission's Rules, 47 C.F.R. § 0.291(h), which prohibits the Chief of the Common Carrier Bureau from issuing reports or orders arising from a proposed rulemaking.³⁷

22. *Initial Regulatory Flexibility Analysis.* This is not required as there are no small entities affected by the proposals described in this document.

23. *Initial Paperwork Reduction Act of 1995 Analysis.* This NPRM contains either a proposed or modified information collection. As part of its continuing effort to reduce paperwork burdens, we invite the general public and the Office of Management and Budget (OMB) to take this opportunity to comment on the information collections contained in this NPRM, as required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13. Public and agency comments are due at the same time as other comments on this NPRM; OMB comments are due 60 days from date of publication of this NPRM in the Federal Register. Comments should address: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology

24. *Ex Parte Rules - Non-Restricted Proceeding.* This is a non-restricted notice and comment rulemaking. See 47 C.F.R. Section 1.399 *et seq.* *Ex Parte* presentations are permitted, except during the Sunshine Agenda period, provided they are disclosed as provided in Commission rules. See generally 47 C.F.R. Sections 1.1202, 1.1203, and 1.1206(a).

25. *Comment Filing Dates.* Pursuant to applicable procedures set forth in Sections 1.399 and 1.411 *et seq.* of the Commission's rules, 47 C.F.R. Sections 1.399 and 1.411 *et seq.*, interested parties may file comments with the Secretary, Federal Communications Commission, Washington, D.C. 20554 on or before April 8, 1996, and reply comments on or before April 23, 1996. To file formally in this proceeding, participants must file an original and four copies of all comments, reply comments, and supporting comments. If participants want each

³⁷Sections 0.291(h) of Commission's Rules states in pertinent part that "[t]he Chief, Common Carrier Bureau shall not have authority to issue notices of Proposed Rulemaking, notices of inquiry or to issue reports or orders arising from either of the foregoing...."

Commissioner to receive a personal copy of their comments, an original plus nine copies must be filed. Parties should also file one copy of any documents filed in this docket with the Commission's copy contractor, International Transcription Services, Room 140, 2100 M Street N.W., Washington, D.C. 20037. In addition to filing comments, reply comments, and supporting comments with the Secretary, one copy of such pleadings should be submitted to Nasir Khilji, Industry Analysis Division, Common Carrier Bureau, Room 500 F, 2033 M Street, N.W., Washington, D.C. 20554. Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center (Room 239) of the Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554.

26. Written comments by the public on the proposed and/or modified information collections are due April 8, 1996. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed and/or modified information collections on or before 60 days after date of publication in the Federal Register. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street, N.W., Washington, DC 20554, or via the Internet to dconway@fcc.gov and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725 - 17th Street, N.W., Washington, DC 20503 or via the Internet to fain_t@al.eop.gov.

V. CONCLUSION

27. By this action, we propose to eliminate or significantly lessen the regulatory burden on the public by substantially reducing the reporting burden on carriers. In requiring the public to provide the Commission with only that information that the Commission needs to carry out its statutory functions, we believe we would maintain our public interest obligations while acting consistently with the President's Regulatory Reform Initiative. Further, this action is merely a step in a continuing process of regulatory streamlining and reform. In that spirit and to provide for a more efficient proceeding, we delegate to the Chief of the Common Carrier Bureau the authority to issue any necessary reports or orders arising from this rulemaking proceeding.

VI. ORDERING CLAUSES


28. Accordingly, IT IS ORDERED, pursuant to Sections 1, 4(i), 4(j), 201-205, 218, 226, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. § 151, 154(i), 154(j), 201-205, 218, 226, 303(r), that a NOTICE OF PROPOSED RULE MAKING IS ISSUED, proposing the amendment of various Commission's rules and policies as set forth in Appendices A and B respectively.

29. IT IS FURTHER ORDERED, that the Chief of the Common Carrier Bureau IS DELEGATED authority to issue any necessary reports or orders arising from this rulemaking proceeding. IT IS FURTHER ORDERED, that for this proceeding and for the purposes

described above, Section 0.291(h) of the Commission's Rules, 47 C.F.R. § 0.291(h), IS WAIVED.

30. IT IS FURTHER ORDERED, that the Secretary shall mail a copy of this Notice of Proposed Rule Making to the Chief Counsel for Advocacy of the Small Business Administration, in accordance with section 603(a) of the Regulatory Flexibility Act, 5 U.S.C. § 603(a). The Secretary shall also cause a summary of this Notice to appear in the Federal Register.

FEDERAL COMMUNICATIONS COMMISSION


William F. Caton
Acting Secretary

APPENDIX A

PROPOSED AMENDMENTS TO THE COMMISSION'S RULES

1. The authority citation continues to read as follows:

AUTHORITY: Sections 4(i), 4(j), 201-205, 303(r) and 403 of the Communications Act of 1934, 47 U.S.C. §§ 154(i) 154(j), 201-205, 303(r), 403, unless otherwise noted.

ELIMINATION OF REPORTS:

2. CIRCUIT REPORT: Part 63 of the Commission's Rules and Regulations (Chapter 1 of Title 47 of the Code of Federal Regulations, Part 63) is hereby amended as follows:

Section 63.07(b) is hereby amended by deleting the present 63.07(b) in its entirety.

* * * * *

3. RECORD CARRIER LETTER: Part 43 of the Commission's Rules and Regulations (Chapter 1 of Title 47 of the Code of Federal Regulations, Part 43) is hereby amended as follows:

Section 43.21(d) is hereby amended by deleting, "Each record carrier with operating revenues March 31 of the following year."

* * * * *

MODIFICATION OF REPORTS:

4. Form 492: Rate of Return Report: Part 65 of the Commission's Rules and Regulations (Chapter 1 of Title 47 of the Code of Federal Regulations, Part 65) is hereby amended as follows:

Section 65.600 is hereby amended by substituting "after the end of each calendar half year in place of, "after the end of each calendar quarter" in the present 65.600(b).

* * * * *

6. Report of Unsecured Credit to Political Candidates: Part 65 of the Commission's Rules and Regulations (Chapter 1 of Title 47 of the Code of Federal Regulations, Part 65) is hereby amended as follows:

Section 65.804 is hereby amended by deleting "and July 31, 1973" in the present 65.804(g).

* * * * *

APPENDIX B

PROPOSED AMENDMENTS TO THE COMMISSION'S POLICIES

1. AT&T Customer Premises Equipment (CPE): Installation & Maintenance Report: It is ordered that the reporting requirement placed on AT&T in connection with customer premises equipment installation and maintenance is hereby terminated.

* * * * *

2. AT&T Service Quality: Equipment Blockage and Failure Report: It is ordered that the reporting requirement placed on AT&T in connection with service quality (equipment blockage and failure) is hereby terminated.

* * * * *

3. AT&T Nondiscrimination Report for Enhanced Service Providers: It is ordered that the reporting requirement placed on AT&T in connection with the provision of enhanced services is hereby terminated.

* * * * *

4. BOC Customer Premises Equipment (CPE) Affidavits for Non-Discrimination Provision of Network Maintenance: It is ordered that the affidavits requirement placed on Bell Operating Companies in connection with customer premises equipment installation and maintenance is hereby terminated.

* * * * *

5. BOC Customer Premises Equipment (CPE) Installation & Maintenance Report: It is ordered that the reporting requirement placed on Bell Operating Companies in connection with customer premises equipment installation and maintenance is hereby terminated.

* * * * *

6. BOC Sales Agency Program and Vendor Support Program Report: It is ordered that the reporting requirement placed on Bell Operating Companies in connection with sales agency programs and vendor sales activity is hereby terminated.

* * * * *

7. Billing and Collection Contracts: It is ordered that the reporting requirement placed on local exchange carriers in connection with their contracts for billing and collection services for interstate communications is hereby terminated.

8. Report on Inside Wiring Service: It is ordered that the reporting requirement placed on local exchange carriers in connection with inside wiring service is hereby terminated.

* * * * *

9. ARMIS Service Quality Report 43-05: It is ordered that the reporting requirement placed on local exchange carriers for which price cap regulation is mandatory and local exchange carriers that elect to be covered by price cap rules in connection with service quality is hereby modified. Reports will be required semiannually instead of quarterly.

* * * * *

10. Joint Board Monitoring Program: Pooling: It is ordered that the reporting requirement placed on NECA in connection with summary of pool results is hereby modified. The summary of pool results will be required semiannually instead of quarterly.

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11. New service Tracking Report: It is ordered that the reporting requirement placed on all Price Cap companies in connection with new service tracking is hereby modified. Reports will be required semiannually instead of quarterly.

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12. Payphone Compensation: It is ordered that the reporting requirement placed on AT&T and Sprint in connection with payphone compensation is hereby modified. Reports will be required semiannually instead of quarterly.

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